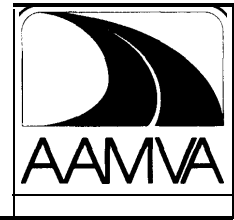


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# AMERICAN ASSOCIATION OF MOTOR VEHICLE ADMINISTRATORS



KENNETH M. BEAM, CAE  
President & CEO

VIRGINIA C. BEECHER, Chair of the Board  
Director, Division of Motor Vehicles  
New Hampshire Department of Safety

November 19, 1998

DOT Docket No. FHWA-98-3414 -30  
Docket Clerk  
U.S. DOT Dockets  
Room **PL-401** .  
400 Seventh Street, S. W.  
Washington, D.C. 20590-0001

DEPARTMENT OF TRANSPORTATION  
98 NOV 27 PM 1:53  
OOSC SECTION

Dear Sir or Madam:

This is in response to the Federal Highway Administration's (**FHWA**) request for comment relating to the North American Uniform Out-of-Service Criteria (OOSC).

The American Association of Motor Vehicle Administrators (AAMVA) has long been a supporter of the Commercial Vehicle Safety Alliance (CVSA). Many of the activities of our two organizations concern areas of mutual interest. We both strive to promote and encourage the safe operation and maintenance of motor vehicles in North America. We also share a common goal of establishing uniform procedures to guide motor vehicle inspection and enforcement.

The current OOSC has gone far to establish a uniform guide for identifying conditions that are so unsafe as to likely cause an accident or breakdown. The current criteria are consistent with **FHWA** regulations and provide a ready reference for government officials responsible for enforcing motor carrier regulations as well as members of the trucking industry who are preparing their fleets for operation.

AAMVA is opposed to the adoption of the OOSC into the Federal Motor Carrier Safety Regulations (FMCSR). Committing the criteria to a U.S. regulations process would do little to foster international **uniformity**, and, in fact, may have a chilling effect on those efforts. As part of the U.S. federal regulations, the OOSC would be subject to the long and arduous federal rulemaking system and create a considerable delay to the implementation of additions and changes to the criteria.

The support CVSA currently enjoys for the OOSC is largely due to the organization's ability to respond to critical changes in industry and regulation. This is essential in creating a guide useful to the United States, Canada, and hopefully Mexico in the near future.

The current OOSC have been and are amended by recognized experts in government and industry across international bounds. To continue to be a **significant** document valued by practitioners in the motor carrier field, we must ensure the OOSC can be continually evaluated and improved in a timely manner.

There may be some merit to including a reference to the Out-of-Service Criteria in the Federal Regulations. If such a reference does not entangle the criteria in the burden of rulemaking, but simply serves to undergird and enhance their credibility, AAMVA could support this action as an alternative.

We hope you find these comments helpful in your deliberations. We appreciate the opportunity to express our position in this matter. Please contact Larry Greenberg, Vice President, Vehicle Services, at **703/522-4200** with any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth M. Beam". The signature is fluid and cursive, with the first name "Kenneth" being more prominent.

Kenneth M. Beam  
President & CEO

KMB:lc